

**AFFIDAVIT**

I, John McGarghan, being sworn, depose and state as follows:

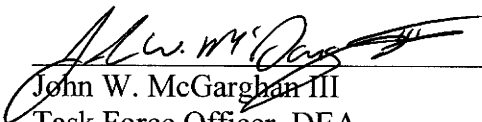
1. I am a Border Patrol Agent assigned to the United States Border Patrol Station, Swanton, VT. Currently, I am assigned as a Task Force Officer with the United States Department of Justice, Drug Enforcement Administration ("DEA"). I have participated in investigations relating to the possession, distribution, and manufacturing of controlled substances. I have also conducted and participated in surveillances, the execution of search warrants, debriefings of informants, and reviews of recorded conversations. Through my training and experience, I have become familiar with the manner and methods of illegal narcotic distribution conspiracies.
2. This affidavit is submitted to show probable cause to believe that on or about January 13, 2016, Cedrik BOURGAULT-MORIN conspired to smuggle Aprazolam, more commonly known as XANAX, a schedule IV controlled substance, in violation of 21 U.S.C. § 841(a)(1).
3. The facts in this affidavit come from my personal observations and knowledge, my training and experience, and information obtained from other agents, law enforcement personnel, and witnesses. I have also reviewed reports of investigation prepared by US Border Patrol Agents stationed in Newport, VT about the events described below. This affidavit is intended to show merely that there is probable cause for the offense charged, and does not set forth all of my knowledge about this matter.
4. On January 13, 2016, at approximately 1:02 am, members of the United States Border Patrol (USBP) stationed in Newport, VT, were notified of cross border activity in the vicinity of North Troy, VT. Swanton Sector Communications received surveillance activation on the railroad track that lead from the international boundary of Canada into the village of North Troy, VT. This area is frequently used by smuggling organizations in their attempt to illegally import contraband.
5. Border Patrol Agents (BPA) Eric Dauphinee and Donald Carmody responded to the area, strategically positioning themselves in an attempt to intercept the suspected smuggling

event. BPA Clifton Allen responded to the area walking south from the international boundary of Canada. BPA Allen was able to identify foot and drag marks crossing into the United States from Canada.

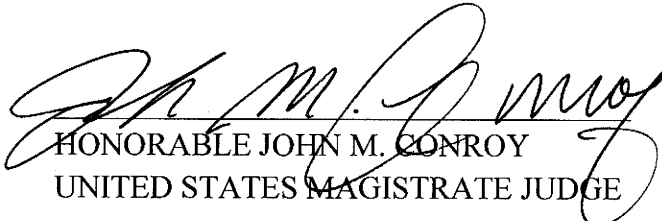
6. BPA Carmody and Dauphinee observed a single adult male, dressed in white camouflage clothing, walking along the railroad tracks and pulling a sled behind him. The sled contained one large duffle bag wrapped in white camouflage. BPA Dauphinee observed the adult male attempting to conceal the sled and its contents with snow a few yards east of the railroad tracks. BPA Allen, while walking down the railroad tracks, also observed a sled and an adult male standing near it. BPA Allen approached the adult male and identified himself as a US Border Patrol Agent. While attempting to question the adult male as to his citizenship and immigration status, BPA Allen determined the adult male did not speak English and was therefore unable to ascertain citizenship. Due to the sensor activation, foot prints in the snow leading south from the international boundary of Canada, and the observation of the adult male pulling a sled containing an unknown substance, BPA Allen placed the adult male under arrest for suspected illegal entry into the United States. The adult male and sled contents were transported back to the Newport Border Patrol Station for processing.
7. Through coordination with the Royal Canadian Mounted Police, I have identified the adult male as Cedrik BOURGAULT-MORIN by his official Quebec driver's license photograph.
8. At the Newport Border Patrol Station, BPA Allen searched the duffle bag in the presence of Supervisory Border Patrol Agent (SBPA) Mancini, SBPA Sevall, BPA Dauphinee, and BPA Carmody. The contents of the duffle bag revealed a large amount of what appeared to be prescription pills. Upon further inspection, the markings on the pills were consistent with the markings used by the pharmaceutical companies to identify XANAX. XANAX is a brand name for Alprazolam.
9. Based on my training and experience, and consultations with other law enforcement, I know Alprazolam to be a Benzodiazepine, which is a Schedule IV controlled substance.

10. SBPA Mancini, SPBA Sevall, and BPA Dauphinee inventoried the contents of the duffle bag, itemizing and weighing 300 vacuum sealed bags containing the depressants. The total weight of the vacuum sealed bags containing the depressants was 182.82 pounds with an approximate value of \$1,600,000.00. Based on my training and experience, I know the amount of seized pills is clearly inconsistent with being an amount possessed solely for personal use.

Dated at Burlington, in the District of Vermont on this 14th day of January, 2016.

  
John W. McGarghan III  
Task Force Officer, DEA

Sworn to and subscribed before me this 14th day of January, 2016.

  
HONORABLE JOHN M. CONROY  
UNITED STATES MAGISTRATE JUDGE